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MAILED

MAR 18 2009

OFFICE OF PETITIONS

In re Patent No. 6,993,897
Issue Date: February 7, 2006
Application No. 10/828,270
Filed: April 21, 2004
Attorney Docket No. N/A

COMMUNICATION REGARDING
MAINTENANCE FEE

This is a communication regarding the Letter filed on September 9, 2008, regarding the maintenance fees for the above-identified patent.

A review of the record shows that the patent issued February 7, 2006. The window period for paying \$490 for the 3 ½ year maintenance fee opened on February 9, 2009 and can be submitted without a surcharge before August 10, 2009. On or after August 10, 2009, the maintenance fee of \$490 and within six month surcharge of \$65 will be due before February 8, 2010. Fees not received by February 8, 2010 will cause the patent to expire and a petition under 37 CFR 1.378(b) or (c) and a surcharge of \$700 or \$1,640 will be required for reinstatement. A current fee schedule is enclosed for petitioner's convenience.

This patent file is being referred to Files Repository.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

Andrea Smith
Petitions Examiner
Office of Petitions



United States Patent and Trademark Office

FEES

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USPTO Fee Information > FY 2009 Fee Schedule

UNITED STATES PATENT AND TRADEMARK OFFICE FY 2009 FEE SCHEDULE

Last Revised on March 1, 2009

The filing fee (or national fee), search fee, and examination fee are due on filing.

The fees subject to reduction for small entities^(S) that have established status (37 CFR 1.27) are shown in a separate column. For additional information, please call the USPTO Contact Center at (571) 272-1000 or (800) 786-9199. Payments from foreign countries must be payable and immediately negotiable in the United States for the full amount of the fee required.

Patent	Patent Cooperation Treaty	Trademark
Patent Application Filing Fees	PCT Fees - National Stage	Trademark Processing Fees
Patent Search Fees	PCT Fees - International Stage	Trademark Madrid Protocol Fees
Patent Examination Fees	PCT Fees to Foreign Offices	Trademark International Application Fees
Patent Post-Allowance Fees	General	Trademark Service Fees
Patent Maintenance Fees	Finance Service Fees	Trademark Fastener Quality Act Fees
Miscellaneous Patent Fees	Computer Service Fees	
Post Issuance Fees		
Patent Extension of Time Fees		
Patent Appeals/Interference Fees		
Patent Petition Fees		
Patent Service Fees		
Patent Enrollment Fees		

USPTO Fee Schedule, effective October 02, 2008

Fee Code	37 CFR	Description	Fee	Small Entity Fee (if applicable)
Patent Application Filing Fees				
1011/2011	1.16(a)(1)	Basic filing fee - Utility <i>filed on or after December 8, 2004</i>	330.00	165.00
4011 [†]	1.16(a)(1)	Basic filing fee - Utility (electronic filing for small entities) <i>filed on or after December 8, 2004</i>	n/a	82.00
1001/2001	1.16(a)(2)	Basic filing fee - Utility <i>filed before December 8, 2004</i>	850.00	425.00
1201/2201	1.16(h)	Independent claims in excess of three	220.00	110.00
1202/2202	1.16(i)	Claims in excess of 20	52.00	26.00

1203/2203	1.16(j)	Multiple dependent claim	390.00	195.00
1051/2051	1.16(f)	Surcharge - Late filing fee, search fee, examination fee or oath or declaration	130.00	65.00
1081/2081	1.16(s)	Utility Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	270.00	135.00
1012/2012	1.16(b)(1)	Basic filing fee - Design <i>filed on or after December 8, 2004</i>	220.00	110.00
1002/2002	1.16(b)(2)	Basic filing fee - Design <i>filed before December 8, 2004</i>	380.00	190.00
1017/2017	1.16(b)(1)	Basic filing fee - Design (CPA) <i>filed on or after December 8, 2004</i>	220.00	110.00
1007/2007	1.16(b)(2)	Basic filing fee - Design (CPA) <i>filed before December 8, 2004</i>	380.00	190.00
1082/2082	1.16(s)	Design Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	270.00	135.00
1013/2013	1.16(c)(1)	Basic filing fee - Plant <i>filed on or after December 8, 2004</i>	220.00	110.00
1003/2003	1.16(c)(2)	Basic filing fee - Plant <i>filed before December 8, 2004</i>	600.00	300.00
1083/2083	1.16(s)	Plant Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	270.00	135.00
1014/2014	1.16(e)(1)	Basic filing fee - Reissue <i>filed on or after December 8, 2004</i>	330.00	165.00
1004/2004	1.16(e)(2)	Basic filing fee - Reissue <i>filed before December 8, 2004</i>	850.00	425.00
1019/2019	1.16(e)(1)	Basic filing fee - Design Reissue (CPA) <i>filed on or after December 8, 2004</i>	330.00	165.00
1009/2009	1.16(e)(2)	Basic filing fee - Design Reissue (CPA) <i>filed before December 8, 2004</i>	850.00	425.00
1204/2204	1.16(h)	Reissue independent claims in excess of three	220.00	110.00
1205/2205	1.16(i)	Reissue claims in excess of 20	52.00	26.00
1084/2084	1.16(s)	Reissue Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	270.00	135.00
1005/2005	1.16(d)	Provisional application filing fee	220.00	110.00
1085/2085	1.16(s)	Provisional Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	270.00	135.00
1052/2052	1.16(g)	Surcharge - Late provisional filing fee or cover sheet	50.00	25.00
1053	1.17(i)	Non-English specification	130.00	

† The 4000 series fee code may be used via EFS-Web at http://www.uspto.gov/efc/efs_help.html

Patent Search Fees

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1111/2111	1.16(k)	Utility Search Fee	540.00	270.00
1112/2112	1.16(l)	Design Search Fee	100.00	50.00
1113/2113	1.16(m)	Plant Search Fee	330.00	165.00
1114/2114	1.16(n)	Reissue Search Fee	540.00	270.00

Patent Examination Fees

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1311/2311	1.16(o)	Utility Examination Fee	220.00	110.00
1312/2312	1.16(p)	Design Examination Fee	140.00	70.00
1313/2313	1.16(q)	Plant Examination Fee	170.00	85.00
1314/2314	1.16(r)	Reissue Examination Fee	650.00	325.00
Patent Post-Allowance Fees			Back to Top	
1501/2501	1.18(a)	Utility issue fee	1,510.00	755.00
1502/2502	1.18(b)	Design issue fee	860.00	430.00
1503/2503	1.18(c)	Plant issue fee	1,190.00	595.00
1511/2511	1.18(a)	Reissue issue fee	1,510.00	755.00
1504	1.18(d)	Publication fee for early, voluntary, or normal publication	300.00	
1505	1.18(d)	Publication fee for republication	300.00	
Patent Maintenance Fees			Back to Top	
1551/2551	1.20(e)	Due at 3.5 years	980.00	490.00
1552/2552	1.20(f)	Due at 7.5 years	2,480.00	1,240.00
1553/2553	1.20(g)	Due at 11.5 years	4,110.00	2,055.00
1554/2554	1.20(h)	Surcharge - 3.5 year - Late payment within 6 months	130.00	65.00
1555/2555	1.20(h)	Surcharge - 7.5 year - Late payment within 6 months	130.00	65.00
1556/2556	1.20(h)	Surcharge - 11.5 year - Late payment within 6 months	130.00	65.00
1557	1.20(i)(1)	Surcharge after expiration - Late payment is unavoidable	700.00	
1558	1.20(i)(2)	Surcharge after expiration - Late payment is unintentional	1,640.00	
Miscellaneous Patent Fees			Back to Top	
1801/2801	1.17(e)	Request for continued examination (RCE) (see 37 CFR 1.114)	810.00	405.00
1808	1.17(i)	Processing fee, except in provisional applications	130.00	
1803	1.17(i)	Request for voluntary publication or republication	130.00	
1802	1.17(k)	Request for expedited examination of a design application	900.00	
1804	1.17(n)	Request for publication of SIR - Prior to examiner's action	920.00*	
1805	1.17(o)	Request for publication of SIR - After examiner's action	1,840.00*	
1806	1.17(p)	Submission of an Information Disclosure Statement	180.00	
1807	1.17(q)	Processing fee for provisional applications	50.00	
1809/2809	1.17(r)	Filing a submission after final rejection (see 37 CFR 1.129(a))	810.00	405.00
1810/2810	1.17(s)	For each additional invention to be examined (see 37 CFR 1.129(b))	810.00	405.00
1814/2814	1.20(d)	Statutory disclaimer	140.00	70.00
* Reduced by basic filing fee paid.				

Post Issuance Fees				Back to Top
1811	1.20(a)	Certificate of correction	100.00	
1812	1.20(c)(1)	Request for ex parte reexamination	2,520.00	
1813	1.20(c)(2)	Request for inter partes reexamination	8,800.00	
1821/2821	1.20(c)(3)	Reexamination independent claims in excess of three and also in excess of the number of such claims in the patent under reexamination	220.00	110.00
1822/2822	1.20(c)(4)	Reexamination claims in excess of 20 and also in excess of the number of claims in the patent under reexamination	52.00	26.00
1814/2814	1.20(d)	Statutory disclaimer	140.00	70.00
Patent Extension of Time Fees				Back to Top
1251/2251	1.17(a)(1)	Extension for response within first month	130.00	65.00
1252/2252	1.17(a)(2)	Extension for response within second month	490.00	245.00
1253/2253	1.17(a)(3)	Extension for response within third month	1,110.00	555.00
1254/2254	1.17(a)(4)	Extension for response within fourth month	1,730.00	865.00
1255/2255	1.17(a)(5)	Extension for response within fifth month	2,350.00	1,175.00
Patent Appeals/Interference Fees				Back to Top
1401/2401	41.20(b)(1)	Notice of appeal	540.00	270.00
1402/2402	41.20(b)(2)	Filing a brief in support of an appeal	540.00	270.00
1403/2403	41.20(b)(3)	Request for oral hearing	1,080.00	540.00
Patent Petition Fees				Back to Top
1462	1.17(f)	Petitions requiring the petition fee set forth in 37 CFR 1.17(f) (Group I)	400.00	
1463	1.17(g)	Petitions requiring the petition fee set forth in 37 CFR 1.17(g) (Group II)	200.00	
1464	1.17(h)	Petitions requiring the petition fee set forth in 37 CFR 1.17(h) (Group III)	130.00	
1451	1.17(j)	Petition to institute a public use proceeding	1,510.00	
1452/2452	1.17(l)	Petition to revive unavoidably abandoned application	540.00	270.00
1453/2453	1.17(m)	Petition to revive unintentionally abandoned application	1,620.00	810.00
1454	1.17(t)	Acceptance of an unintentionally delayed claim for priority, or for filling a request for the restoration of the right of priority	1,410.00	
1455	1.18(e)	Filing an application for patent term adjustment	200.00	
1456	1.18(f)	Request for reinstatement of term reduced	400.00	
1457	1.20(j)(1)	Extension of term of patent	1,120.00	
1458	1.20(j)(2)	Initial application for interim extension (see 37 CFR 1.790)	420.00	
1459	1.20(j)(3)	Subsequent application for interim extension (see 37 CFR 1.790)	220.00	
PCT Fees - National Stage				Back to Top

1631/2631	1.492(a)	Basic National Stage Fee	330.00	165.00
1640/2640	1.492(b)(1)	National Stage Search Fee - U.S. was the ISA or IPEA and all claims satisfy PCT Article 33(1)-(4)	0.00	0.00
1641/2641	1.492(b)(2)	National Stage Search Fee - U.S. was the ISA	100.00	50.00
1642/2642	1.492(b)(3)	National Stage Search Fee - search report prepared and provided to USPTO	430.00	215.00
1632/2632	1.492(b)(4)	National Stage Search Fee - all other situations	540.00	270.00
1643/2643	1.492(c)(1)	National Stage Examination Fee - U.S. was the ISA or IPEA and all claims satisfy PCT Article 33(1)-(4)	0.00	0.00
1633/2633	1.492(c)(2)	National Stage Examination Fee - all other situations	220.00	110.00
1614/2614	1.492(d)	Claims - extra independent (over three)	220.00	110.00
1615/2615	1.492(e)	Claims - extra total (over 20)	52.00	26.00
1616/2616	1.492(f)	Claims - multiple dependent	390.00	195.00
1681/2681	1.492(j)	National Stage Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	270.00	135.00
1617/2617	1.492(h)	Search fee, examination fee or oath or declaration after thirty months from priority date	130.00	65.00
1618	1.492(i)	English translation after thirty months from priority date	130.00	

PCT Fees - International Stage

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1601	1.445(a)(1)	Transmittal fee	240.00	
1602	1.445(a)(2)	Search fee - regardless of whether there is a corresponding application (see 35 U.S.C. 361(d) and PCT Rule 16)	2,080.00	
1604	1.445(a)(3)	Supplemental search fee when required, per additional invention	2,080.00	
1605	1.482(a)(1)	Preliminary examination fee - U.S. was the ISA	600.00	
1606	1.482(a)(1)	Preliminary examination fee - U.S. was not the ISA	750.00	
1607	1.482(a)(2)	Supplemental examination fee per additional invention	600.00	
1619		Late payment fee	variable	
1621	1.445(a)(4)	Transmitting application to Intl. Bureau to act as receiving office	240.00	

PCT Fees to Foreign Offices **

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1701		International filing fee (first 30 pages - filed in paper with PCT EASY zip file or electronically without PCT EASY zip file)	1,119.00	
1710		International filing fee (first 30 pages) - filed electronically with PCT Easy zip file	1,028.00	
1702		International filing fee (first 30 pages)	1,210.00	
1703		Supplemental fee (for each page over 30)	14.00	
1704		International search (EPO)	2,164.00	
1712		International search (IPAU)	1,091.00	
1709		International search (KIPO)	609.00	

1705		Handling fee	171.00	
1706		Handling Fee - 90% reduction, if applicants meets criteria specified at: http://www.wipo.int/pct/en/fees/fee_reduction.pdf	17.10	
1708		Sequence listing and/or sequence-related table on electronic medium only (PCT AI Section 801)	5,600.00	

**** PCT Fees to Foreign Offices subject to periodic change due to fluctuations in exchange rate. Refer to the Official Gazette of the United States Patent and Trademark Office for current amounts.**

Patent Service Fees

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8001	1.19(a)(1)	Printed copy of patent w/o color, delivery by USPS, USPTO Box, or electronic means	3.00	
8003	1.19(a)(2)	Printed copy of plant patent in color	15.00	
8004	1.19(a)(3)	Color copy of patent (other than plant patent) or SIR containing a color drawing	25.00	
8005	1.19(a)(1)	Patent Application Publication (PAP)	3.00	
8007	1.19(b)(1)(i)(A)	Copy of patent application as filed	20.00	
8008	1.19(b)(1)(i)(B)	Copy of patent-related file wrapper and contents of 400 or fewer pages, if provided on paper	200.00	
8009	1.19(b)(1)(i)(C)	Additional fee for each additional 100 pages of patent-related file wrapper and (paper) contents, or portion thereof	40.00	
8010	1.19(b)(1)(i)(D)	Individual application documents, other than application as filed, per document	25.00	
8011	1.19(b)(1)(ii)(B)	Copy of patent-related file wrapper and contents if provided electronically or on a physical electronic medium as specified in 1.19(b)(1)(ii)	55.00	
8012	1.19(b)(1)(ii)(C)	Additional fee for each continuing physical electronic medium in single order of 1.19(b)(1)(ii)(B)	15.00	
8041	1.19(b)(2)(i)(A)	Copy of patent-related file wrapper contents that were submitted and are stored on compact disk or other electronic form (e.g., compact disks stored in Artifact folder), other than as available in 1.19(b)(1); first physical electronic medium in a single order	55.00	
8042	1.19(b)(2)(i)(B)	Additional fee for each continuing copy of patent-related file wrapper contents as specified in 1.19(b)(2)(i)(A)	15.00	
8043	1.19(b)(2)(ii)	Copy of patent-related file wrapper contents that were submitted and are stored on compact disk, or other electronic form, other than as available in 1.19(b)(1); if provided electronically other than on a physical electronic medium, per order	55.00	
8013	1.19(b)(3)	Copy of office records, except copies of applications as filed	25.00	
8014	1.19(b)(4)	For assignment records, abstract of title and certification, per patent	25.00	
8904	1.19(c)	Library service	50.00	
8015	1.19(d)	List of U.S. patents and SIRs in subclass	3.00	
8016	1.19(e)	Uncertified statement re status of maintenance fee payments	10.00	

8017	1.19(f)	Copy of non-U.S. document	25.00	
8050	1.19(g)	Petitions for documents in form other than that provided by this part, or in form other than that generally provided by Director, to be decided in accordance with merits	AT COST	
8019	1.21(d)	Local delivery box rental, annually	50.00	
8020	1.21(e)	International type search report	40.00	
8902	1.21(g)	Self-service copy charge, per page	0.25	
8021	1.21(h)	Recording each patent assignment, agreement or other paper, per property	40.00	
8022	1.21(i)	Publication in Official Gazette	25.00	
8023	1.21(j)	Labor charges for services, per hour or fraction thereof	40.00	
8024	1.21(k)	Unspecified other services, excluding labor	AT COST	
8025	1.21(l)	Retaining abandoned application	130.00	
8026	1.21(n)	Handling fee for incomplete or improper application	130.00	
8027	1.296	Handling fee for withdrawal of SIR	130.00	
Patent Enrollment Fees				🔙 Back to Top
9001	1.21(a)(1)(i)	Application fee (non-refundable)	40.00	
9003	1.21(a)(2)	Registration to practice or grant of limited recognition under §11.9(b) or (c)	100.00	
9004	1.21(a)(9)(ii)	Reinstatement to practice	100.00	
9005	1.21(a)(4)	Certificate of good standing as an attorney or agent	10.00	
9006	1.21(a)(4)	Certificate of good standing as an attorney or agent, suitable for framing	20.00	
9010	1.21(a)(1)(ii)(A)	For test administration by commercial entity	200.00	
9011	1.21(a)(1)(ii)(B)	For test administration by the USPTO	450.00	
9012	1.21(a)(5)(i)	Review of decision by the Director of Enrollment and Discipline under §11.2(c)	130.00	
9013	1.21(a)(5)(ii)	Review of decision of the Director of Enrollment and Discipline under §11.2(d)	130.00	
9014	1.21(a)(10)	Application fee for person disciplined, convicted of a felony or certain misdemeanors under §11.7(h)	1,600.00	
9015	1.21(a)(7)(i)	Annual fee for registered attorney or agent in active status	118.00	
9016	1.21(a)(7)(ii)	Annual fee for registered attorney or agent in voluntary inactive status	25.00	
9017	1.21(a)(7)(iii)	Requesting restoration to active status from voluntary inactive status	50.00	
9018	1.21(a)(7)(iv)	Balance of annual fee due upon restoration to active status from voluntary inactive status	93.00	
9019	1.21(a)(8)	Annual fee for individual granted limited recognition	118.00	
9020	1.21(a)(9)(i)	Delinquency fee for annual fee	50.00	

9024	1.21(k)	Unspecified other services,excluding labor	AT COST	<Back to top>
GENERAL FEES				
Finance Service Fees				Back to Top
9201	1.21(b)(1) or 2.6(b)(13)(i)	Establish deposit account	10.00	
9202	1.21(b)(2) or 2.6(b)(13)(ii)	Service charge for below minimum balance	25.00	
9202	1.21(b)(3)	Service charge for below minimum balance restricted subscription deposit account	25.00	
9101	1.21(m) or 2.6(b)(12)	Processing each payment refused or charged back	50.00	
Computer Service Fees				Back to Top
8031/8531		Computer records	AT COST	
Trademark Processing Fees ***				Back to Top
6001	2.6(a)(1)(i)	Application for registration, per international class (paper filing)	375.00	
7001	2.6(a)(1)(ii)	Application for registration, per international class (electronic filing, TEAS application)	325.00	
7007	2.6(a)(1)(iii)	Application for registration, per international class (electronic filing, TEAS Plus application)	275.00	
6002/7002	2.6(a)(2)	Filing an Amendment to Allege Use under §1(c), per class	100.00	
6003/7003	2.6(a)(3)	Filing a Statement of Use under §1(d)(1), per class	100.00	
6004/7004	2.6(a)(4)	Filing a Request for a Six-month Extension of Time for Filing a Statement of Use under §1(d)(1), per class	150.00	
6005/7005	2.6(a)(15)	Petitions to the Director	100.00	
6006	2.6(a)(19)	Dividing an application, per new application (file wrapper) created	100.00	
6008/7008	2.6(a)(1)(iv)	Additional fee for application that doesn't meet TEAS Plus filing requirements, per class	50.00	
6201/7201	2.6(a)(5)	Application for renewal, per class	400.00	
6203/7203	2.6(a)(6)	Additional fee for filing renewal application during grace period, per class	100.00	
6204	2.6(a)(21)	Correcting a deficiency in a renewal application	100.00	
6205/7205	2.6(a)(12)	Filing §8 affidavit, per class	100.00	
6206/7206	2.6(a)(14)	Additional fee for filing §8 affidavit during grace period, per class	100.00	
6207	2.6(a)(20)	Correcting a deficiency in a §8 affidavit	100.00	
6208/7208	2.6(a)(13)	Filing §15 affidavit, per class	200.00	
6210	2.6(a)(7)	Publication of mark under §12(c), per class	100.00	
6211	2.6(a)(8)	Issuing new certificate of registration	100.00	
6212/7212	2.6(a)(9)	Certificate of correction, registrant's error	100.00	
6213	2.6(a)(10)	Filing disclaimer to registration	100.00	

6214/7214	2.6(a)(11)	Filing amendment to registration	100.00	
6401/7401	2.6(a)(16)	Petition for cancellation, per class	300.00	
6402/7402	2.6(a)(17)	Notice of opposition, per class	300.00	
6403/7403	2.6(a)(18)	Ex parte appeal, per class	100.00	

Trademark Madrid Protocol Fees ***

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6901/7901	7.6(a)(1)	Certifying an International application based on single application or registration, per class	100.00	
6902/7902	7.6(a)(2)	Certifying an International application based on more than one basic application or registration, per class	150.00	
6903/7903	7.6(a)(3)	Transmitting a Request to Record an Assignment or restriction under 7.23 or 7.24	100.00	
6904/7904	7.6(a)(4)	Filing a Notice of Replacement, per class	100.00	
6905/7905	7.6(a)(5)	Filing an affidavit under 71 of the Act, per class	100.00	
6906/7906	7.6(a)(6)	Surcharge for filing affidavit under 71 of the Act during grace period, per class	100.00	
6907/7907	7.6(a)(7)	Transmitting a subsequent designation	100.00	

Trademark International Application Fees ***

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7951	7.7(1)	International application fee	Reference CFR 7.7 for payment of fees to International Bureau (IB) and IB calculator at: http://www.wipo.int/madrid/en .
7952	7.14(c)	Correcting irregularities in an International application	
7953	7.21	Subsequent designation fee	
7954	7.23	Recording of an assignment of an international registration under 7.23	

*** The 7000 series fee code (e.g., 7001, 7002, etc.) is used for electronic filing via TEAS, which is available at www.uspto.gov/teas/.

Trademark Service Fees

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8501	2.6(b)(1)	Printed copy of registered mark, delivery by USPS, USPTO Box, or electronic means	3.00	
8503	2.6(b)(4)(i)	Certified copy of registered mark, with title and/or status, regular service	15.00	
8504	2.6(b)(4)(ii)	Certified copy of registered mark, with title and/or status, expedited local service	30.00	
8507	2.6(b)(2)	Certified copy of trademark application as filed	15.00	
8508	2.6(b)(3)	Certified or uncertified copy of trademark-related file wrapper and contents	50.00	
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